

## 5.5 KARANGAHAKE GORGE ZONE

### 5.5.1 ZONE PURPOSE

- (1) The Karangahake Gorge Zone encompasses the outstanding natural features and landscapes within the Karangahake Gorge, including the following natural features:
  - (a) Ohinemuri River;
  - (b) White Rocks;
  - (c) Owharoa Falls; and
  - (d) Mt Karangahake.
- (2) In addition, the Karangahake Gorge includes steep rock cliffs, vegetation (both regenerating indigenous vegetation and exotic vegetation), historic examples of the gold mining era and recreation activities. Although the landscape has been significantly modified over the years, the combination of the dramatic physical geography, regenerating indigenous vegetation, cultural heritage of significance to tangata whenua and historic heritage makes the area outstanding within Hauraki District.
- (3) It is noted that although there are some parts within the zone that contain Significant Natural Areas, for the balance of the zone the mixed indigenous and exotic vegetative cover is not of sufficient ecological significance in its own right to meet the standard of being an “area of significant indigenous vegetation or significant habitat of indigenous fauna” (ie a Significant Natural Area). However, the protection of vegetation from disturbance and clearance for visual amenity reasons has the consequential effect of providing additional vegetative cover between the Coromandel and Kaimai-Mamaku Forest Parks. This will assist in the provision of the Hauraki Ecological Corridor for flora and fauna to pass between these two Conservation Parks.
- (4) The Karangahake Gorge is made up of a number of individual features and elements that on their own are not significant, but in combination, for the Hauraki District and wider community, make the Karangahake Gorge an outstanding landscape.

### 5.5.2 OBJECTIVES AND POLICIES

#### (1) OBJECTIVE 1

To protect the outstanding natural features, landscape and amenity values of the Karangahake Gorge from inappropriate subdivision, use and development.

#### (a) Policies

Objective 1 will be achieved by implementation of the following policies:

- (i) Protect, preserve and enhance the landscape character of the Karangahake Gorge environment.

- (ii) Identify landscape features of particular significance in the Karangahake Gorge and ensure that particular regard is had to protecting those features.
- (iii) Protect areas of indigenous vegetation and habitats of indigenous fauna.
- (iv) Ensure the erection of buildings, earthworks and removal of vegetation does not detract from the outstanding landscape character, cultural and amenity values of the Karangahake Gorge.
- (v) Encourage and recognise private landowner initiatives to protect identified Significant Natural Areas.
- (vi) Liaise with the Department of Conservation and tangata whenua to ensure a consistent and coordinated approach to resource management in the Karangahake Gorge environment is adopted.
- (vii) Liaise with New Zealand Transport Agency to ensure that developments within the Karangahake Gorge are undertaken in a manner that recognises the importance of State Highway 2 as a sub-regional highway and the Karangahake Gorge as a tourist attraction of district significance.

**(b) Reasons for Objective 1**

- (i) The District Plan needs to recognise and provide for Matters of National Importance stipulated in the Act and as identified within the District.
- (ii) To maintain and enhance important amenity values in the District.

**(2) OBJECTIVE 2**

To maintain and enhance public access to and along the Ohinemuri River.

**(a) Policies**

Objective 2 will be achieved by implementation of the following policy:

- (i) Provide for public access where that is compatible with the preservation of conservation values and cultural values of importance to tangata whenua and does not unreasonably interfere with the landowner's ability to use and 'enjoy' the land.

**(b) Reasons for Objective 2**

- (i) The achievement of Objective 2 is a matter of national importance. The ability to obtain access to the Ohinemuri River is considered by most New Zealanders to be a right and not a privilege.

## 5.5.3 ENVIRONMENTAL RESULTS

- (1) The protection of the outstanding natural features and landscape, and amenity values of the Karangahake Gorge from inappropriate subdivision, use and development.

- (2) Providing appropriate public access to environments that the community uses for recreation purposes, and which contribute to the community's social, economic, and cultural wellbeing and health.

## 5.5.4 ACTIVITY STATUS

Activities and their *accessory uses* and *buildings* (unless otherwise stated) are *Permitted*, *Controlled*, *Restricted Discretionary*, *Discretionary*, *Non Complying* or *Prohibited* according to the Activity Status Table below:

### 5.5.4.1 PERMITTED ACTIVITIES

Those activities listed below are a *Permitted Activity* subject to compliance with the:

- *Zone Development Standards* specified in Rule 5.5.5;
- Activity Specific Standards specified in Rule 5.5.6;
- Conservation and Heritage provisions in Section 6.0;
- Specific and District Wide provisions in Section 7.0; and
- District Wide Performance Standards in Section 8.0.

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| <b>P1</b> | LAND MANAGEMENT PRACTICES, INCLUDING PLANTING OF <i>INDIGENOUS VEGETATION</i> , <i>INVASIVE WEED</i> AND ANIMAL PEST CONTROL AND PERIMETER FENCING OF <i>INDIGENOUS VEGETATION</i> AND AREAS OF LAND TO BE RETIRED FROM ACTIVE PRIMARY PRODUCTION AND PLANTED IN <i>INDIGENOUS VEGETATION</i> . |
| <b>P2</b> | MAINTENANCE OF EXISTING WALKING TRACKS  |
| <b>P3</b> | CREATION OF PEDESTRIAN WALKWAYS (INCLUDING SEATING AND TABLES), CYCLEWAYS AND JOGGING TRACKS  |
| <b>P4</b> | EXOTIC TREE(S) PRUNING OR REMOVAL (REFER TO ACTIVITY SPECIFIC STANDARD 5.5.6(2))  |
| <b>P5</b> | <i>HOME/FARM STAY</i> WITHIN AN EXISTING <i>DWELLING</i> .  |
| <b>P6</b> | <i>HOME OCCUPATIONS</i> WITHIN AN EXISTING <i>DWELLING</i> (REFER TO ACTIVITY SPECIFIC STANDARD 5.5.6(3))   |
| <b>P7</b> | <i>PROSPECTING</i>  |
| <b>P8</b> | <i>TEMPORARY USES</i> AND <i>BUILDINGS</i> (INCLUDING <i>TEMPORARY MILITARY TRAINING</i> )  |
| <b>P9</b> | REMOVAL OR DEMOLITION OF <i>BUILDINGS</i>   |

### 5.5.4.2 CONTROLLED ACTIVITIES

Those activities listed below are a *Controlled Activity* subject to compliance with the:

- *Zone Development Standards* specified in Rule 5.5.5;
- Activity Specific Standards in Rule 5.5.6;
- Conservation and Heritage provisions in Section 6.0
- Specific and District Wide provisions in Section 7.0; and

- District Wide Performance Standards in Section 8.0.

*Conditions* may be imposed in relation to the matters over which control has been reserved, as specified below.

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| <p><b>C1</b></p> <p><b>EXPLORATION</b> (Refer Activity Specific Standard 5.5.6(1))</p> <p><b>Matters over which the Council has reserved control are:</b></p> <p><b>(1) Type of vegetation to be cleared</b></p> <p><b>(a)</b> Whether the vegetation to be cleared is indigenous or exotic.</p> <p><b>(b)</b> The effects of the clearance of <i>indigenous vegetation</i> of cultural heritage significance to <i>tangata whenua</i>.</p> <p><b>(2) Location of vegetation and/or land clearances</b></p> <p><b>(a)</b> Whether the location of an individual clearance in relation to other clearance(s) has the effect of creating an inappropriate contiguous clearance.</p> <p><b>(3) Timing/number of vegetation and/or land clearances</b></p> <p><b>(a)</b> Whether the timing and/or number of individual clearances should be staged in order that the rehabilitation of adjoining clearances is undertaken before new clearances are created.</p> <p><b>(4) Management and rehabilitation</b></p> <p><b>(a)</b> The extent to which exterior storage areas of vehicles, equipment, machinery, materials, waste etc is located, or suitably screened from neighbouring properties and any public <i>road</i>, to avoid, remedy or mitigate any detriment to the landscape character.</p> <p><b>(b)</b> The adequacy of management and rehabilitation plans (including the possible use of performance bonds or other mechanisms) to ensure the long term appearance and stability of any disturbed/excavated area including surplus earth disposal areas, and whether they are aimed to return the disturbed area to the same or similar state as existed prior to the clearance.</p> |
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| <b>C2</b> | <p><i>PASSIVE RECREATION NOT OTHERWISE PROVIDED FOR UNDER P2 AND P3 ABOVE AS A PERMITTED ACTIVITY</i></p> <p><b>Matters over which the Council has reserved control are:</b></p> <p>(1) Whether any <i>signs</i> proposed detract from the <i>amenities</i> of the area.</p> <p>(2) The extent to which the activity is self-contained, with regard to stormwater drainage, effluent disposal and water supply within the boundaries of the <i>site</i> on which the activity is located (except where reticulated services are provided).</p> <p>(3) Whether the nature of the activity has the potential to create nuisance noise which cannot effectively or practically be controlled by mitigation measures.</p> <p>(4) The extent to which exterior storage areas are located, or suitably screened from neighbouring properties and any public <i>road</i>, to avoid, remedy or mitigate any detriment to <i>amenity</i>.</p> <p>(5) Whether the hours of operation are appropriate having regard to those persons likely to be affected by the activity.</p> <p>(6) Whether the activity and any <i>building</i> and <i>structures</i> are of a scale and intensity which are in keeping with the character, <i>amenity</i> and ambience values of the existing <i>environment</i>.</p>  |
| <b>C3</b> | <p><i>ADDITIONS TO EXISTING DWELLINGS, AND FARM BUILDINGS (NOT OTHERWISE PROVIDED FOR UNDER 5.5.4.3 RD2)</i></p> <p><b>Matters over which the Council has reserved control are:</b></p> <p>(1) <b>SITE LAYOUT AND BUILDING DESIGN</b></p> <p>(a) Whether <i>buildings</i> are sufficiently set back from the boundaries of neighbouring properties to avoid causing a nuisance to neighbouring <i>holdings</i> by way of overshadowing, obstruction of views, noise, glare and loss of privacy.</p> <p>(b) Whether the location of the proposed <i>building</i>, especially in relation to ridgelines and its prominence when viewed from public places, is such that it does not adversely affect the visual and <i>amenity</i> values of these features.</p> <p>(c) Whether there are features of the proposed <i>building</i> that avoid, remedy or mitigate any adverse effect on the existing landscape including the:</p> <p>(i) design (eg varied roofline profile to create shade effects and break up the bulk of the roofline);</p> <p>(ii) bulk (especially lowered <i>height</i>);</p> <p>(iii) colour and reflectivity of external materials that complement the colours of the surrounding <i>environment</i>; and</p> <p>(iv) amount and reflectivity of glass, especially tinted glass and glass areas that are shaded by eaves.</p> <p>(d) Whether the planting of trees and shrubs, the shaping of earth and other landscape features reduce the visual dominance of the <i>building</i> and assist with its integration into the landscape.</p> |
| <b>C4</b> | <p><i>ONE DWELLING ON EACH CERTIFICATE OF TITLE NOT OTHERWISE PROVIDED FOR UNDER 5.5.4.3 RD2</i></p>   |

Matters over which the *Council* has reserved control are the same as apply to C3.

### 5.5.4.3 RESTRICTED DISCRETIONARY ACTIVITIES

Those activities listed below are a *Restricted Discretionary Activity* subject to compliance with the:

- Conservation and Heritage provisions in Section 6.0;
- Specific and District Wide provisions in Section 7.0; and
- District Wide Performance Standards in Section 8.0.

The matters over which the *Council* has restricted its discretion are specified for each *Restricted Discretionary Activity* listed below.

**RD1** ANY PERMITTED ACTIVITY OR CONTROLLED ACTIVITY THAT DOES NOT MEET THE ZONE DEVELOPMENT STANDARDS IN RULE 5.5.5 FOR A PERMITTED OR CONTROLLED ACTIVITY AND DOES NOT EXCEED THE ZONE DEVELOPMENT STANDARDS IN RULE 5.5.5 FOR A RESTRICTED DISCRETIONARY ACTIVITY

**Matters over which Council has restricted its discretion are:**

The *Council* will restrict the exercise of its discretion to the ability of the activity or development to achieve the particular environmental result of the *Zone Development Standards* in Rule 5.5.5 for which compliance is not met and the following relevant criteria.

**(1) Height and Daylighting**

- (a) The extent that topographical and *site* conditions (including easements) restrict the area or shape of the *site* that is suitable and available for building.
- (b) The desirability of maintaining consistency in design and appearance with existing *buildings* on the *site*.
- (c) The need to preserve existing trees, vegetation or important physical characteristics of the *site*.
- (d) Whether the boundary to which the standard relates is a common boundary with an area of permanent open space, the use of which will not be detrimentally affected by any increased shading or loss of visual *amenity*.
- (e) Whether the property adjoining the *site* is sufficiently higher and therefore the adjoining property will not be detrimentally affected.
- (f) Where the standard(s) is/are not met due to penetration by a dormer window, gable or similar roof feature, whether that will have a minor effect on the *amenities* of the neighbouring site.
- (g) The extent to which it is necessary to minimise the physical disturbance to the landscape and the landforms.
- (h) The degree to which *amenity* value and privacy of adjoining properties is affected by matters such as shading and loss of daylight.
- (i) The extent to which the *building* visually intrudes on any significant ridgeline or skyline or significant landscape, and what measures are proposed to reduce the visual effects of that intrusion.
- (j) Whether the *building* will detract from any view or vista, which contributes

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|            | <p>to the aesthetic coherence of a locality, and if it does, what measures can and will be taken to reduce the detraction to an acceptable level or remove it completely.</p>   |
| <b>(2)</b> | <p><b>Yards</b></p> <p><b>(a)</b> The extent that topographical and <i>site</i> conditions restrict the area or shape of the <i>site</i> that is available and suitable for building.</p> <p><b>(b)</b> The degree to which the functioning of the <i>site</i> and/or the activity can be improved by not meeting the standard.</p> <p><b>(c)</b> Whether there is a need to preserve existing trees, vegetation or important physical characteristics of the <i>site</i>.</p> <p><b>(d)</b> The extent to which the provision of daylight and sunlight into the neighbouring properties and the visual and aural privacy of neighbouring sites will be affected.</p> <p><b>(e)</b> The extent to which the safe and efficient functioning of the street or <i>road</i> will be compromised.</p> <p><b>(f)</b> Whether the detrimental effects of building in the <i>yard</i> can be reduced or avoided.</p> <p><b>(g)</b> Whether the <i>yard</i> functions (including separation, <i>landscaping</i> and service provision) will be provided on the <i>site</i> by other means, or are they unnecessary.</p>  |
| <b>(3)</b> | <p><b>Traffic Noise Sensitivity</b></p> <p><b>(a)</b> The location of the dwelling in relation to the formed carriageway of the <i>state highway</i>,</p> <p><b>(b)</b> The location of the bedrooms and main living room within the dwelling in relation to the formed carriageway of the <i>state highway</i>,</p> <p><b>(c)</b> The extent and location of the main glazing to bedrooms and living areas,</p> <p><b>(d)</b> The mitigation methods proposed – building materials, construction method and the internal noise level that will be achieved,</p> <p><b>(e)</b> The outcomes of any consultation with the New Zealand Transport Agency, and</p> <p>Whether they are likely to avoid or mitigate potential adverse traffic noise effects or potential reverse sensitivity effects on the <i>state highway</i> (to apply to (a) – (e) above),</p> <p><b>(f)</b> Whether there are other design features that will provide the required ventilation without the need for ventilating windows or a <i>ventilation system</i>,</p> <p><b>(g)</b> Whether the <i>ventilation system</i> proposed will provide a comfortable living environment as well as the required level of ventilation.</p> |
| <b>RD2</b> | <p>ADDITIONS TO EXISTING <i>DWELLINGS</i>, AND <i>FARM BUILDINGS</i>, AND ONE <i>DWELLING</i> ON EACH <i>CERTIFICATE OF TITLE</i>, WHERE CLEARANCE OF VEGETATION (OTHER THAN PASTURE AND DOMESTIC GARDENS) IS REQUIRED TO ACCOMMODATE THE:</p> <ul style="list-style-type: none"> <li>• ADDITION TO THE EXISTING <i>DWELLING</i>; OR</li> <li>• <i>FARM BUILDING</i>; OR</li> <li>• THE NEW <i>DWELLING</i>; AND/OR</li> <li>• PROVISION OF SERVICES OR VEHICULAR ACCESS.</li> </ul>  |

**Matters over which the Council has restricted its discretion are:**

- (1) Where vegetation is required to be removed to accommodate the development, whether the total area of *building* and the location of the *building* footprint and the location of services, is inconsistent with the retention of vegetation that contributes to the *amenity* and ecological values.
- (2) Where *indigenous vegetation* is required to be removed to accommodate the development, whether this adversely affects cultural heritage of significance to *tangata whenua*.
- (3) The *Zone Development Standards* in Rule 5.5.5.

#### 5.5.4.4 DISCRETIONARY ACTIVITIES

Those activities listed below are a *Discretionary Activity* and shall be assessed against the relevant criteria in Rule 5.5.7

Note: The Conservation and Heritage provisions in Section 6.0 and the Specific and District Wide provisions in Section 7.0 also apply and may alter the *Discretionary Activity* status for the activities specified below or require additional resource consents.

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| <b>D1</b> | TWO OR MORE <i>DWELLINGS</i> ON EACH <i>CERTIFICATE OF TITLE</i> CONTAINING 40 OR MORE HECTARES OF LAND  |
| <b>D2</b> | <i>FARMING</i>   |
| <b>D3</b> | CLEARANCE OF <i>INDIGENOUS VEGETATION</i> .  |
| <b>D4</b> | REMOVAL OF EXOTIC TREE(S) NOT OTHERWISE PROVIDED FOR UNDER <i>PERMITTED ACTIVITY P4</i>  |
| <b>D5</b> | ANY <i>PERMITTED</i> OR <i>CONTROLLED ACTIVITY</i> THAT DOES NOT MEET THE <i>ZONE DEVELOPMENT STANDARDS</i> IN RULE 5.5.5 FOR A <i>RESTRICTED DISCRETIONARY ACTIVITY</i> |
| <b>D6</b> | ANY <i>PERMITTED</i> OR <i>CONTROLLED ACTIVITY</i> THAT DOES NOT MEET THE <i>ACTIVITY SPECIFIC STANDARDS</i> IN RULE 5.5.6   |
| <b>D7</b> | <i>UNDERGROUND MINING</i>  |
| <b>D8</b> | ONE <i>PRODUCE STALL</i> PER <i>HOLDING</i>  |

#### 5.5.4.5 NON COMPLYING ACTIVITIES

Those activities listed below are a *Non Complying Activity*.

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| <b>NC1</b> | ANY ACTIVITY NOT PROVIDED AS A <i>PERMITTED, CONTROLLED, RESTRICTED DISCRETIONARY, DISCRETIONARY</i> OR <i>PROHIBITED ACTIVITY</i> . |
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### 5.5.4.6 PROHIBITED ACTIVITIES

Those activities listed below are a *Prohibited Activity*.

|     |                |
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| PR1 | SURFACE MINING |
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### 5.5.5 ZONE DEVELOPMENT STANDARDS

- (1) The following relevant *Zone Development Standards* shall be met by all *Permitted* and *Controlled Activities* unless otherwise stated.
- (2) For *Controlled Activities*, where *Council* has reserved control over specified matters in Rule 5.5.4.2, and for *Restricted Discretionary Activities* in Rule 5.5.4.3, where *Council* has restricted its discretion to specific matters, more restrictive *development standards* than those specified in the table below, may be imposed as *conditions* of consent.
- (3) The following relevant *Zone Development Standards* shall be used as a guide in assessing any *Discretionary* and *Non Complying Activities*.

| Development Standard*   | Parameter   |                               | Environmental Result  |
|---|---|-------------------------------|---|
|   | Controlled  | Restricted Discretionary      |   |
| Maximum Height  | 8.0 metres  | 15.0 metres                   | To ensure that the <i>height</i> of <i>buildings</i> is compatible with the activities permitted in the <i>zone</i> as well as the landscape, <i>amenity</i> and character of both the <i>zone</i> that the <i>building</i> is located in and any adjoining <i>zone</i> . |
| <i>Daylight Control</i> (refer to definition for explanatory diagram) | No <i>building</i> or <i>structure</i> shall project above 2.0 metres in <i>height</i> at any other <i>site</i> boundary and not project above a 45° plane into the <i>site</i> up to the maximum <i>height</i> .                         | No Restriction                | To ensure no <i>building</i> unreasonably overshadows any neighbouring property, thereby restricting daylight and ventilation between <i>buildings</i> .  |
| Minimum Yards (Building)  | <i>Front Yard</i> : 12 metres (except from <i>state highways</i> for those <i>buildings</i> as set out in the <i>rule</i> below).   | <i>Front Yard</i> : 12 metres | To allow flexibility in <i>site</i> layout while still maintaining the <i>amenities</i> of the <i>site</i> and adjoining sites and mitigating reverse sensitivity effects from new noise sensitive activities.  |
|   | <i>Front Yard</i> : 20 metres (from the <i>state highway</i> ) for new <i>dwellings</i> erected or placed on the <i>site</i> after 14 September 2012 (and any subsequent additions to those <i>dwellings</i> ).                           |                               |   |
|   | <i>Other Yards</i> : 12 metres , except that:<br>(a) any <i>building</i> or enclosure used for the housing and keeping of any animals (including milking sheds and stock yards) are not permitted within 50 metres of the boundary of the | <i>Other Yards</i> : Nil      |   |

| Development Standard*     | Parameter   |                          | Environmental Result  |
|---------------------------|---|--------------------------|---|
|                           | Controlled  | Restricted Discretionary |   |
|                           | <i>holding.</i>   |                          |   |
| Traffic Noise Sensitivity | <p>(a) All new <i>habitable room(s)</i> where located within 80 metres of the formed carriageway of a <i>state highway</i> shall meet an internal road-traffic design sound level of <math>40dB_{LAeq(24hr)}</math> with ventilating windows open.</p> <p>(b) An acoustic design report from a suitably qualified and experienced acoustics expert shall be provided to the <i>Council</i> demonstrating compliance with (a) above at the time of building consent application.</p> <p>(c) Where the requirements of (a) above can only be met with windows and doors closed a <i>ventilation system</i> shall be installed for the new <i>habitable room(s)</i>.</p> <p>(d) The requirements of (a) above shall not apply where:</p> <p>(i) the nearest façade of the new <i>habitable room(s)</i> is between 50 and 80 metres from the formed carriageway of the <i>state highway</i> and there is a solid building, fence, wall or landform that blocks the line of sight from all parts of all windows and doors to the new <i>habitable room(s)</i> to any part of the formed carriageway of the <i>state highway</i> (where that part of the <i>state highway</i> is within 80 metres of the façade of the new <i>habitable room(s)</i>); or</p> <p>(ii) it can be demonstrated by way of prediction or measurement by a suitably qualified and experienced acoustics expert that the road traffic noise level from the <i>state highway</i> is less than <math>55dB_{LAeq(24hr)}</math> on all facades of the new <i>habitable room(s)</i>; or</p> <p>(iii) the <i>habitable rooms</i> are added to or altered within a <i>dwelling</i> existing at 26 September 2014.</p> | No restriction           | To allow flexibility of site layout while protecting the <i>amenity</i> of sensitive uses where located in proximity to high speed environment and/or high traffic volume <i>state highways</i> , from potential adverse traffic noise effects. |

\*These *Zone Development Standards* shall not apply to “*Temporary Uses and Buildings*” covered by clause (b) of the definition in Section 4 for “*Temporary Uses and Buildings*” and to “*Prospecting*” and “*Exploration*”.

## 5.5.6 ACTIVITY SPECIFIC STANDARDS

### (1) EXPLORATION

- (a) Trenching and costeaning are subject to a maximum cross section area of 6m<sup>2</sup>.
- (b) Progressive rehabilitation of trenching is to be undertaken, such that no more than 50 metres of trenching is left open at any one time.
- (c) *Exploration* drilling is subject to a maximum drilling pad size of 200m<sup>2</sup>.
- (d) Bulk sampling is subject to a maximum of 500m<sup>3</sup> of material per 100 hectares.
- (e) *Exploration* tunnels are subject to the maximum volume of excavated material not to result in more than 500m<sup>2</sup> of surface area being covered, to a maximum height of 2 metres.
- (f) Rehabilitation measures are proposed.

### (2) EXOTIC TREE(S) REMOVAL

- (a) Trimming or pruning of a tree(s) necessary because of disease or age and which will not result in the death, destruction or irreparable damage to the tree.
- (b) Minor pruning or shaping necessary to maintain or enhance the value of the tree(s).
- (c) Removal (partial or total) of any tree(s) for safety and emergency purposes.
- (d) Removal (partial or total) of any tree or group of trees where rehabilitation measures are proposed for the area around the cleared tree(s) with planting of *indigenous vegetation*.

### (3) HOME OCCUPATIONS

- (a) At least one person, including the principal operator of the *home occupation*, shall reside on the *site*.
- (b) A *home occupation* involving the care, tuition and/or accommodation of no more than five persons at any one time (in addition to the owner(s)/operator(s)) may be undertaken provided the activity and accommodation is principally undertaken within the *dwelling*.
- (c) The *home occupation* for an activity other than provided for in (b) above, shall be carried out wholly within the *dwelling*, provided that the *gross floor area* of the *dwelling* used for the *home occupation* shall not exceed 30% of the total *gross floor area* of the *dwelling* and associated *accessory buildings* on the *site*.

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- (d) Not more than one person from outside the household residing on the *site* shall be employed in the *home occupation*.
- (e) There shall be no exterior display, external storage of materials or other indication of the *home occupation* or variation from the rural and/or residential character of the property visible from a public place.
- (f) The *home occupation* shall be operated so as not to attract pedestrian or vehicular traffic (other than traffic directly associated with the operation of the *home occupation* eg rural contractor vehicles returning) between the hours of 10.00pm and 7.00am the following day.
- (g) The *home occupation* may not use equipment which creates electrical interference with television and radio sets on neighbouring properties.
- (h) Only goods directly produced or assembled by the *home occupation* may be sold or offered for sale from the *site* on which the *home occupation* is conducted – as a *Discretionary Activity*, in accordance with the rules for *produce stalls* in 5.5.4.4.  
(Note: Assembled means putting together pre-fabricated parts to make a product).
- (i) *Home occupations* shall not include a business or trade that involves panel beating, spray painting or mechanical repairs to vehicles and machinery (other than mechanical repairs to vehicles and machinery directly associated with the *home occupation*, eg repair of rural contractor's truck).

### 5.5.7 ASSESSMENT CRITERIA FOR DISCRETIONARY ACTIVITIES

When assessing any application for a *Discretionary Activity*, *Council* shall have regard to the relevant *development standards*, activity specific standards, environmental results and assessment criteria for *Permitted*, *Controlled* and *Restricted Discretionary activities* in Rules 5.5.4 to 5.5.6, and the relevant General and Activity Specific assessment criteria below, and any other matters it considers appropriate.

#### 5.5.7.1 GENERAL ASSESSMENT CRITERIA

- (1) Whether the activity and any *buildings* and *structures* are of a scale and intensity which preserve the outstanding natural character and *amenity* values of the Karangahake *environment*. Particular aspects making up the natural character include:
  - (a) vegetation including bush;
  - (b) streams and rivers;
  - (c) visual backdrop including fields, forest areas, ridges, skylines, prominent geographic features;
  - (d) habitat values; and
  - (e) quietness and peacefulness.

- (2) Whether the proposal is appropriate having regard to the Objectives of the Karangahake Gorge Zone.
- (3) Whether public access to and along the margins of streams and rivers is maintained and enhanced.
- (4) The extent to which the activity and any *buildings* and *structures* maintain or enhance the landscape, heritage values, or cultural values of *tangata whenua* in relation to *indigenous vegetation*, of the locality.
- (5) Whether traffic movements resulting from the activity will have any significant impact on the safe and efficient operation of any public *road*. Pertinent matters for consideration in this regard are:
  - (a) the carrying capacity, standard and status in the roading hierarchy of the *road* concerned;
  - (b) the ability of the *site* to accommodate the activity requirements for on-site parking, loading and *manoeuvring areas*;
  - (c) the means by which any likely adverse traffic effects can be avoided or mitigated;
  - (d) the access, parking and loading standards for *Permitted Activities* that shall be used as a guideline in assessing applications for *Discretionary Activities*;
  - (e) the comments of New Zealand Transport Agency on the possible adverse effects on the safe and efficient operation of the *state highway* network.
- (6) The degree to which the activity will cause demands for the uneconomic or premature upgrading or extension of public services, including roading, which are not in the interests of the District or locality.
- (7) Whether any *signs* proposed detract from the *amenities* of the area.
- (8) The extent to which the activity is self-contained, with regard to stormwater drainage, effluent disposal and water supply, within the boundaries of the *site* on which the activity is located (except where reticulated services are provided).
- (9) Whether the nature of the activity has the potential to create nuisance and health and safety effects, such as noise, vibration and dust, which cannot effectively or practically be controlled by mitigation measures.
- (10) Whether the hours of operation are appropriate having regard to those persons likely to be affected by the activity.
- (11) Refer also to the assessment criteria in Section 5.5.7.4 where clearance of *indigenous* and/or exotic vegetation is proposed as part of the activity.

#### 5.5.7.2 DWELLINGS

- (1) Whether features of the proposed *building* including the location (especially in relation to ridgelines and its prominence when viewed from any public places), design, bulk (especially *height*), colour, reflectivity of material, the planting of trees and shrubs, and the shaping of earth avoids, remedies or mitigates any adverse effect on the existing landscape.

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- (2) Refer also to the assessment criteria in Section 5.5.7.4 where clearance of *indigenous* and/or exotic vegetation is proposed as part of the activity.

### 5.5.7.3 FARMING

- (1) Refer to General Assessment Criteria in Section 5.5.7.1

### 5.5.7.4 CLEARANCE OF INDIGENOUS AND/OR EXOTIC VEGETATION (either as a discrete activity or as part of another *Discretionary Activity*)

- (1) The extent to which existing native bush, or other vegetation which contributes to visual *amenity*, is retained.
- (2) Whether the best practicable option has been taken to minimise any damage, modification or disturbance to existing vegetation as part of the removal of exotic vegetation or individual trees. Consideration of the best environmental outcome, relevant health and safety requirements and the effectiveness and efficiency of the methods to be used will be considered in relation to the 'best practicable option'.
- (3) Whether the clearance of the exotic vegetation will enable the establishment of *indigenous vegetation* to occur and what rehabilitation is proposed.
- (4) Where the clearance is required for maintenance of fencelines, keeping separation from existing power *lines*, the safety of the *road* network or other similar situations, can the vegetation removed be replaced with vegetation more suitable to the position.
- (5) The extent to which existing *indigenous vegetation* contributes to Maori values.

### 5.5.7.5 EXPLORATION

- (1) Whether public safety and security is adequately provided for.
- (2) Whether acceptable plans for the rehabilitation of all disturbed areas have been provided, including implementation programmes.

### 5.5.7.6 UNDERGROUND MINING

- (1) Whether public safety and security are adequately provided for.
- (2) The extent to which the surface expression of the *underground mining* is minimised or preferably avoided (eg locating the portal and access thereto outside the *zone*).

### 5.5.7.7 Produce Stalls

- (1) Whether the position and orientation of the stall will cause a distraction to passing motorists, thereby potentially leading to traffic hazards.

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- (2) Whether the stall, and land used in conjunction with it for retail display, is located a safe distance from the front boundary of the property to minimise traffic hazards.
- (3) The extent to which the proposal complies with the performance standards for the zone.
- (4) Whether the methods proposed for disposal of sewage and stormwater and the provision of a potable water supply are appropriate for the scale of development proposed, and can be effectively maintained.